



SUGAR LAND DEVELOPMENT CORPORATION

AGENDA REQUEST

AGENDA OF:	12-03-13	AGENDA REQUEST NO:	IV-A
INITIATED BY:	CHRIS STEUBING, PE, CFM, CITY ENGINEER	RESPONSIBLE DEPARTMENT:	ENGINEERING
PRESENTED BY:	CHRIS STEUBING, PE, CFM, CITY ENGINEER	DIRECTOR:	CHRIS STEUBING, PE, CFM, CITY ENGINEER <i>CLS</i>
		ADDITIONAL DIRECTOR (S):	N/A
SUBJECT / PROCEEDING:	REVIEW AND APPROVE FUNDING RESOLUTION FOR PRE-CONSTRUCTION PHASE SERVICES TO BE PERFORMED UNDER A CONSTRUCTION MANAGER AT RISK AGREEMENT FOR THE PERFORMING ARTS CENTER		
EXHIBITS:	FUNDING RESOLUTION No. 2013-12-07		
CLEARANCES		APPROVAL	
LEGAL:	EUGENIA CANO, FIRST ASSISTANT CITY ATTORNEY <i>EC</i>	DIRECTOR:	REGINA MORALES, ECONOMIC DEVELOPMENT <i>RM</i>
PURCHASING:	N/A	EXECUTIVE DIRECTOR	N/A
BUDGET:	JENNIFER BROWN, <i>JB</i> DIRECTOR OF BUDGET & RESEARCH	ASSISTANT CITY MANAGER:	KAREN DALY <i>kd</i>
BUDGET			
EXPENDITURE REQUIRED: \$		98,500	
CURRENT BUDGET: \$		200,000 (FY13 CARRYOVER)	
ADDITIONAL FUNDING: \$		N/A	
RECOMMENDED ACTION			
Approve Funding Resolution No. 2013-12-07 in the amount of \$98,500 for the Construction Manager at Risk pre-construction phase services for the Performing Arts Center project.			

EXECUTIVE SUMMARY

The Performing Arts Center project continues to move forward through design with major steps and milestones rapidly approaching. One such milestone is the selection and contracting with the Construction Manager at Risk (CMAR) for the project.

The first phase of the CMAR agreement is the Pre-construction phase services. These services will assist the City and design team, Martinez + Johnson, Inc., in completing the design with the CMAR's involvement where the collaboration amongst the team will provide increased value in the cost estimating, value engineering, scheduling, budgeting and constructability review for the project.

The Pre-construction phase fee was one of four required pieces requested from each CMAR respondent through the 2nd step process. This step will cover all design activities and will work towards developing the Guaranteed Maximum Price (GMP). The SLDC budget included \$200,000 for pre-construction phase services of which \$98,500 will be utilized for these services.

The attached funding resolution approves the total funding required for the pre-construction phase services for the CMAR agreement. Staff recommends approval of Funding Resolution 2013-12-7 for the pre-construction phase services portion of the CMAR agreement.

EXHIBITS

RESOLUTION NO. 2013-12-07

A RESOLUTION OF THE SUGAR LAND DEVELOPMENT CORPORATION APPROVING PROJECT FUNDING FOR PRE-CONSTRUCTION PHASE SERVICES TO BE PERFORMED UNDER A CONSTRUCTION MANAGER AT RISK AGREEMENT FOR THE PERFORMING ARTS CENTER.

WHEREAS, under Section 5.02 (a) of the Sugar Land Development ("SLDC") Corporation's bylaws, the City of Sugar Land ("City") has requested that the Corporation fund a project or activity as described in this Resolution; and

WHEREAS, on November 4, 2008, the voters approved the SLDC's use of the proceeds of its existing one quarter of one percent sales and use for land, buildings, equipment, facilities and improvements required or suitable for use for entertainment and tourist purposes and events, specifically a concert and live entertainment venue and festival site, and related facilities, as provided in the ballot proposition; and

WHEREAS, the Corporation's Board of Directors find that the described project or activity is authorized under the Development Corporation Act Chapters 501 to 505, Local Gov't Code; NOW, THEREFORE,

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE SUGAR LAND DEVELOPMENT CORPORATION:**

Section 1. That the facts and recitations set forth in the preamble of this resolution are true and correct.

Section 2. That the SLDC herein approves the City's request for funding as follows:

Description of Project or Activity: Pre-construction phase services to be performed under a construction manager at risk agreement for the Performing Arts Center

Amount Funded: \$98,500

Statutory Authorization: Section 501.152 Tex. Local Gov't Code
Section 504.152, Tex. Local Gov't Code

APPROVED on _____, 2013.

Amy Mitchell, President

ATTEST:

Glenda Gundermann, Secretary

APPROVED AS TO FORM:

Eugenia A. Cano